

Daniel Eli, Esq., State Bar No. 192019  
**BLACK, COMPEAN, HALL & ELI**  
A Limited Liability Partnership  
700 South Flower Street, Suite 3350  
Los Angeles, CA 90017  
Telephone: (213) 629-9500  
Facsimile: (213) 629-4868

Attorneys for Plaintiff  
St. Paul Surplus Lines Insurance Company

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ST. PAUL SURPLUS LINES	)	Case No. C 10-05567 MEJ
INSURANCE COMPANY, a Delaware	)	[Assigned to Judge Maria-Elena James]
Corporation,	)	
	)	<b><del>[[PROPOSED]]</del> ORDER OF</b>
Plaintiff,	)	<b>DISMISSAL WITH PREJUDICE</b>
	)	
vs.	)	
	)	
CLIPPER SQUARE, LLC, et al.,	)	
	)	
Defendants.	)	
	)	

Pursuant to the Stipulation to Dismiss Action With Prejudice among Plaintiff St. Paul Surplus Lines Insurance Company ("St. Paul") and Defendants, Counterclaimants and Third Party Complainants Clipper Square, LLC; Clipper Square, Inc.; Philip Richardson; Laurence O. Mathews; Ronald M. Katz; and KMR Properties, LLC (collectively, "the Parties"), the Court hereby orders that this action is dismissed with prejudice in its entirety. Said dismissal extends to the operative pleadings filed by said parties, namely:

1 1. The Amended Complaint filed by Plaintiff St. Paul Surplus Lines  
2 Insurance Company ("St. Paul") on December 9, 2010; and

3 2. The Answer to Amended Complaint and Third Party Complaint filed by  
4 Defendants, Counterclaimants and Third Party Complainants Clipper Square, LLC;  
5 Clipper Square, Inc.; Philip Richardson; Laurence O. Mathews; Ronald M. Katz; and  
6 KMR Properties, LLC, on January 31, 2011.

7 This dismissal with prejudice extends to all claims, counterclaims and  
8 third-party claims pursuant to Federal Rule of Civil Procedure Rule 41(a)(1), with  
9 each party bearing its own costs and fees, subject to this Court's continuing  
10 jurisdiction to enforce the Confidential Settlement Agreement and Release as set forth  
11 in the Stipulation to Dismiss Action with Prejudice.

12  
13 Dated: August 30, 2011, 2011

  
14 Maria-Elena James  
15 Judge, United States District Court  
16

17 H:\DATA\spt\4335\Pleadings\Prop Order of Dismissal w-Prejud.doc  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28